

OPEN MEETING AGENDA ITEM



0000151128

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

BOB STUMP, CHAIRMAN

GARY PIERCE

BRENDA BURNS

BOB BURNS

SUSAN BITTER SMITH

2014 JAN 30 P 4:44

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

ORIGINAL

IN THE MATTER OF THE APPLICATION
OF VALENCIA WATER COMPANY-TOWN
DIVISION FOR THE ESTABLISHMENT OF
JUST AND REASONABLE RATES AND
CHARGES FOR UTILITY SERVICE
DESIGNED TO REALIZE A REASONABLE
RATE OF RETURN ON THE FAIR VALUE
OF ITS PROPERTY THROUGHOUT THE
STATE OF ARIZONA.

DOCKET NO. W-01212A-12-0309

Arizona Corporation Commission

DOCKETED

JAN 30 2014

DOCKETED BY

IN THE MATTER OF THE APPLICATION
OF GLOBAL WATER-PALO VERDE
UTILITIES COMPANY FOR THE
ESTABLISHMENT OF JUST AND
REASONABLE RATES AND CHARGES
FOR UTILITY SERVICE DESIGNED TO
REALIZE A REASONABLE RATE OF
RETURN ON THE FAIR VALUE OF ITS
PROPERTY THROUGHOUT THE STATE
OF ARIZONA.

DOCKET NO. SW-20445A-12-0310

IN THE MATTER OF THE APPLICATION
OF WATER UTILITY OF NORTHERN
SCOTTSDALE FOR APPROVAL OF A
RATE INCREASE.

DOCKET NO. W-03720A-12-0311

IN THE MATTER OF THE APPLICATION
OF WATER UTILITY OF GREATER
TONOPAH FOR THE ESTABLISHMENT
OF JUST AND REASONABLE RATES AND
CHARGES FOR UTILITY SERVICE
DESIGNED TO REALIZE A REASONABLE
RATE OF RETURN ON THE FAIR VALUE
OF ITS PROPERTY THROUGHOUT THE
STATE OF ARIZONA.

DOCKET NO. W-02450A-12-0312

1 IN THE MATTER OF THE APPLICATION
2 OF VALENCIA WATER COMPANY-
3 GREATER BUCKEYE DIVISION FOR THE
4 ESTABLISHMENT OF JUST AND
5 REASONABLE RATES AND CHARGES
6 FOR UTILITY SERVICE DESIGNED TO
7 REALIZE A REASONABLE RATE OF
8 RETURN ON THE FAIR VALUE OF ITS
9 PROPERTY THROUGHOUT THE STATE
10 OF ARIZONA.

DOCKET NO. W-02451A-12-0313

7 IN THE MATTER OF THE APPLICATION
8 OF GLOBAL WATER-SANTA CRUZ
9 WATER COMPANY FOR THE
10 ESTABLISHMENT OF JUST AND
11 REASONABLE RATES AND CHARGES
12 FOR UTILITY SERVICE DESIGNED TO
13 REALIZE A REASONABLE RATE OF
14 RETURN ON THE FAIR VALUE OF ITS
15 PROPERTY THROUGHOUT THE STATE
16 OF ARIZONA.

DOCKET NO. W-20446A-12-0314
(Global Water-Santa Cruz Water Company)

13 IN THE MATTER OF THE APPLICATION
14 OF WILLOW VALLEY WATER COMPANY
15 FOR THE ESTABLISHMENT OF JUST AND
16 REASONABLE RATES AND CHARGES
17 FOR UTILITY SERVICE DESIGNED TO
18 REALIZE A REASONABLE RATE OF
19 RETURN ON THE FAIR VALUE OF ITS
20 PROPERTY THROUGHOUT THE STATE
21 OF ARIZONA.

DOCKET NO. W-01732A-12-0315

**NOTICE OF WITHDRAWAL WITH
CONSENT, AS COUNSEL OF RECORD
FOR WILLOW VALLEY CLUB
ASSOCIATION**

19 Pursuant to Rule 5.1, Arizona Rules of Civil Procedure, William Sullivan and Curtis,
20 Goodwin, Sullivan, Udall & Schwab, PLC, hereby provide notice of withdrawal, with consent of
21 our representation of the Willow Valley Club Association ("WVC Association") in this
22 proceeding effective with the filing and service of this Notice. The WVC Association, through
23 Gary McDonald, was granted intervention in the matter. The WVC Association had nominal
24 funding available to review and participate in this very complex matter. They retained Curtis,
25 Goodwin, Sullivan, Udall & Schwab, PLC for the limited purpose of undertaking a general

1 review of the filing and to participate in settlement discussions, if held. The Firm did not make
2 an appearance in this matter until a prehearing conference held September 4, 2013, following
3 submittal of a proposed Settlement Agreement not executed by the WVC Association. At that
4 time, we advised the Commission and the Parties of the limited funding available to the WVC
5 Association, the limited scope of our appearance and orally indicated the WVC Association did
6 not intend to appear at the hearings on the Settlement Agreement and requested permission that
7 they be excused from so appearing. No objections were expressed.

8 Subsequently, we next appeared in this matter on September 19, 2013, when Gary
9 McDonald appeared telephonically, to be cross-examined on a letter he had submitted criticizing
10 the Company's SIB proposal. We again explained on the record that our appearance was limited
11 to ensuring that Mr. McDonald could testify as a witness, without counsel present. Mr.
12 McDonald testified that he fully understood and concurred with the limited participation of our
13 Firm in the SIB hearing. The WVC Association did not otherwise attend the SIB hearing. Again
14 no objections were expressed.

15 We have received a copy of the Recommended Opinion and Order ("ROO") in this
16 proceeding and have ensured the WVC Association, through Mr. McDonald, has received a copy
17 and is generally aware of its contents. We have further advised Mr. McDonald that the matter is
18 tentatively scheduled for Open Meeting for February 6 and 7, 2014 and that exceptions to the
19 ROO are due no later than 4:00 p.m. January 30, 2014.

20 The scope of our representation of the WVC Association is complete and the Firm will no
21 longer be representing the WVC Association in this proceeding. The last known address and
22 telephone number for the WVC Association are:

23 Willow Valley Club Association
24 c/o Gary McDonald
1240 Avalon Avenue
25 Havasu City, AZ 86404
Phone: 951-741-6433

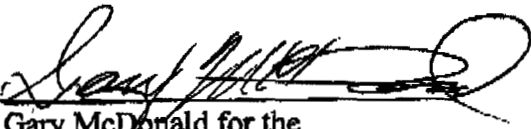
1 In accordance with Rule 5.1(3)(A) this Notice is effective upon filing and service.

2 DATED this 30th day of January, 2014.

3 CURTIS, GOODWIN, SULLIVAN,
4 UDALL & SCHWAB, PLC

5 By: 
6 William P. Sullivan

7
8 CONSENT TO WITHDRAWAL

9 
10 Gary McDonald for the
11 Willow Valley Club Association

12 **PROOF OF AND CERTIFICATE OF MAILING**

13 I hereby certify that on this 30th day of January, 2014, I caused the foregoing
14 document to be served on the Arizona Corporation Commission by delivering the original and
15 thirteen (13) copies of the above to:

16 Docket Control
17 Arizona Corporation Commission
18 1200 West Washington
19 Phoenix, Arizona 85007

20 COPY of the foregoing delivered
21 this 30th day of January, 2014 to:
22 Lyn Farmer, Chief Administrative Law Judge
23 Dwight D. Nodes, Assistant Chief
24 Administrative Law Judge
25 1200 W. Washington Street
Phoenix, Arizona 85007

Janice Alward, Chief Counsel
Maureen Scott, Esq.
Wesley Van Cleve, Esq.
Legal Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Steven M. Olea, Director
Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

COPY of the foregoing mailed
this 30th day of January, 2014 to:

Timothy Sabo, Esq.
Michael Patten, Esq.
Roshka, DeWulf & Patten, PLC
400 E. Van Buren, Suite 800
Phoenix, Arizona 85004
Attorneys for Applicants

1 Daniel W. Pozefsky, Chief Counsel
2 Residential Utility Consumer Office
3 1110 West Washington Street, Suite 200
4 Phoenix, Arizona 85007

5 Garry D. Hays
6 The Law Offices of Garry D. Hays, PC
7 1702 East Highland Ave., Suite 204
8 Phoenix, Arizona 85016
9 Attorneys for New World Properties, Inc.

10 Jeffrey W. Crockett
11 Brownstein Hyatt Farber Schreck, LLP
12 One East Washington Street, Suite 2400
13 Phoenix, Arizona 85004
14 Attorneys for New World Properties, Inc.

15 Lawrence V. Robertson, Jr.
16 Of Counsel to Munger Chadwick, PLC
17 P.O. Box 1448
18 Tubac, Arizona 85646
19 Attorney for the City of Maricopa, Arizona

20 Michelle Van Quathem
21 Sheryl A. Sweeney
22 Ryley Carlock & Applewhite
23 One N. Central Ave., Suite 1200
24 Phoenix, Arizona 85004-4417
25 Attorneys for Maricopa Area
Homeowners Associations

Robert J. Metli, Esq.
Munger Chadwick, PLC
2398 E. Camelback Road, Suite 240
Phoenix, AZ 85016
Attorneys for Sierra Negra Ranch

Barry W. Becker
Bryan O. Reilly
SNR Management LLC
50 S. Jones Blvd., Suite 101
Las Vegas, Nevada 89107

Steven P. Tardiff
44840 W. Paitilla Lane
Maricopa, Arizona 85139

Dana L. Jennings
42842 W. Morning Dove Lane
Maricopa, Arizona 85138

Andy and Marilyn Mausser
20828 North Madison Dr.
Maricopa, Arizona 85138

Willow Valley Club Association
c/o Gary McDonald
1240 Avalon Avenue
Havasupai City, Arizona 86404

